

# Alcohol and other Drugs Policy

## 1 Document Information

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<b>Author</b>	Risk Management Coordinator
<b>Owner</b> <i>(Relevant director)</i>	Director of Finance & Corporate Services
<b>Status –</b> <i>Draft, Approved, Adopted by Council, Superseded or Withdrawn</i>	Adopted by Council
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## 2 Summary

Employees are obliged to present themselves for work in a fit state so that in carrying out their work activities they do not expose themselves, their co-workers or other people in the workplace to unnecessary risks to health and safety. This Policy is to help ensure that people are “fit for work” whilst performing and that Council has a mechanism to appropriately manage the misuse of alcohol and other drugs in the workplace through training, education and where required, rehabilitation.

## 3 Approvals

Title	Date Approved	Signature
Director of Finance & Corporate Services		

## 4 History

Minute No.	Summary of Changes	New Version Date
11/10/22	Readopted by Council with an updated version	16 April 2013
13/09/30	Readopted as per s165(4)	17 September 2013
18/05/20	Readopted as per s165(4)	22 May 2018

## 5 Reason

The LGSA and local government unions recognise that the inappropriate use of alcohol and/or other drugs is a significant problem that can affect an employee's work performance and jeopardise the health, safety and welfare of the employee, their co-workers and other people in the workplace.

Cabonne Council has a duty to ensure the health, safety and welfare of its employees and others in the workplace. Employees have a duty to take reasonable care for their own health and safety, as well as for the health and safety of others in the workplace. They must also co-operate with Council in providing a safe working environment.

All staff are obliged to present themselves for work in a fit state so that in carrying out their work, they do not expose themselves, their co-workers or other people at the workplace to unnecessary risks to health and safety.

There are penalties, under legislation and the Award, for employers and employees who fail to take their work health and safety responsibilities seriously.

## 6 Scope

This Policy and the associated Procedure applies to all Cabonne Council's employees, Councillors, contractors and sub contractors, volunteers and work experience persons in the workplace.

## 7 Associated Legislation

*Work Health and Safety Act 2011*

*Work Health and Safety Regulations 2011*

*Mine Health and Safety Act 2004*

*Mine Health and Safety Regulation 2007*

*Road Transport (Safety and Traffic Management) Act 1999 (NSW)*

*Road Transport (Safety and Traffic Management Regulation 1999 (NSW)*

*Rail Safety Act 2008 (NSW)*

*Rail Safety (Drug and Alcohol Testing) Regulation 2008 (NSW)*

## 8 Definitions

**Certified Laboratory** means a laboratory which meets minimum Australian performance standards set by an accrediting agency; e.g. from the National Australian Testing Authority (NATA).

**Confirmatory Test** means a second analytical test performed to identify the presence of specific alcohol and/or other drugs. The confirmatory test is a retest if the original test result is disputed.

**Contractor** means a contractor or sub contractor working on a Council controlled worksite.

**Employee** means an individual who works under a contract of employment or apprenticeship.

**PCBU** means a “person controlling a business or undertaking” as defined in the WHS Act (2011) that employs persons under contracts of employment or apprenticeship.

**Reasonable Suspicion Guidelines** refers to indicators of impairment.

**Reportable Incident** for the purpose of Post Incident Testing, an incident is defined as any accident or event that occurs in the course of work resulting in more than first aid, plant or vehicle damage, property damage or a dangerous occurrence or behaviour that could have resulted in injury or damage.

## 9 Responsibilities

### 9.1 General Manager

The General Manager accepts overall responsibility for the effective management of workplace health, safety and welfare by endorsing and fully supporting the Alcohol and Other Drugs Policy and its associated Procedures for all Councillors, employees, contractors and sub contractors, volunteers and visitors.

### 9.2 Directors and Managers

Directors and Managers are responsible, within the scope of their authority, for ensuring that:

- The objectives of this policy are integrated into work practices
- The tasks required for the successful implementation of the Alcohol and Other Drugs Procedures are undertaken
- Adequate training, information, instruction and supervision are provided so that staff are aware of the requirements of being ‘fit for work’.
- Contractors and sub contractors, volunteers and visitors are made aware of the requirements for being ‘fit for work’.
- Immediate and appropriate steps are taken to investigate and take procedural action when a ‘fitness for work’ issue is identified.
- All accidents/incidents and near misses are properly reported and recorded, and an investigation carried out to determine causal factors.

### 9.3 Supervisors

Supervisors are responsible, within the scope of their authority, for ensuring that;

- All employees under their control are aware of and comply with the provisions of this policy and procedures.
- That the policy and procedures are applied fairly and consistently.
- The General Manager, Directors and Managers are supported with the implementation of this policy and associated procedures.
- They protect the privacy interests of those tested.
- Assessing whether a person is fit for work, and
- Taking prompt and appropriate action to address fitness for work issues.
- No employee commences or continues duty if the employee appears to be affected by alcohol, illegal or legal drugs, or other substances which may reasonably be considered to lead to a safety risk or an inability to fulfil the requirements of the position or are not fit to work.

### 9.4 Employees

Each person, whether employee, contractor or sub contractor, volunteer or work experience person, is accountable for;

- Ensuring that they are fit for work, and in particular, not adversely affected by alcohol and other drugs;
- Raising any concerns about their fitness for work with their Supervisor or Manager:
- Raising any concerns about another person's fitness for work with that person and their Supervisor or Manager:
- Notifying their Supervisor or Manager of any situation in which this policy may apply or has been breached.

## 9.5 Others

### Work Health and Safety committee

The Work Health and Safety committee has a duty to:

- Promote fulfilment of this policy's objectives
- Support the successful implementation of the risk management program
- Facilitate consultation on WHS matters
- Encourage cooperation with agreed WHS measures and objectives
- Immediately report to management any issue which may affect work health and safety
- Participate and cooperate in workplace investigations into accidents, incidents or near misses

### Contractors and Sub-contractors

All contractors and sub-contractors engaged to perform work on Council premises or locations are required to comply with Council's WHS policies and procedures and to observe directions on health and safety from designated officers of Council.

## 10 Related Documents

Document Name	Document Location
Alcohol and other Drugs Procedure	Policy & Procedures Database - Procedures

## 11 Policy Statement

The purpose of this policy is to maintain a safe work environment where employees attend work in a "fit for work" state free from the effects of the use of alcohol and drugs.

Illicit drugs (such as cannabis, amphetamines, cocaine, opiates and other narcotics), prescription drugs (such as benzodiazepines, barbiturates or methadone) or the misuse of non-prescription drugs (such as codeine) could pose a risk to council staff and to other people, Cabonne Council has undertaken to, as far as is practicable, eliminate the threat that alcohol and other drug consumption can present, to both its employees and the business.

Each person at Council is expected to attend work in a 'fit for work' state. Accordingly, a person adversely affected by alcohol or any other drug is not permitted in, or on, any of Council's workplaces. In addition, a person must not, without the authorisation of the General Manager, or other authorised Council employee, have any alcohol or other drug that may pose a risk to health and safety in his or her possession or consume any alcohol or other drug that may pose a risk to health and safety while in the workplace.

This policy applies to all persons entering Council's operations and workplaces or any other area for which Cabonne Council has accountability.

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